

EXHIBIT 2

State of New York)

: ss.:

County of Suffolk)

ANITA S. KATZ and NICK LALOTA, being duly sworn, depose and say:

1. We are the Commissioners of the Suffolk County Board of Elections (hereinafter collectively referred to as the "Board") in the above entitled matter.

2. We are personally familiar with the facts and circumstances herein and submit this joint affidavit in opposition to the petition and in support of dismissal for the reasons set forth herein:

3. Upon information and belief, Petitioner seeks to be placed on the ballot for the Federal Primary Election scheduled for June 28, 2016. For the reasons set forth below, the application should be denied and the ballot left as it now stands so as to not disenfranchise members of our military.

4. The Federal Primary Election is scheduled for June 28, 2016, less than 7 days from now. Generally, between 11 days and four weeks are necessary to implement procedures to prepare for an election. In order to be ready to conduct elections on June 28th, it was necessary to implement preparatory procedures several weeks ago. For the reasons that follow, we respectfully submit that we have reached the point in time when it is impossible to effectuate any change to the ballot in time for the election.

5. As a result of the extensive and time consuming procedures that accompany the use of electronic voting machines in order to ensure accuracy, reliability and security of the voting process, a change to the paper ballot as sought by petitioner

9. Preparation for the election begins with sending a pdf of the ballot to the printer who prints a proposed ballot for the Board's review and final approval to print more than 50,000 ballots.—After the ballot is approved absentee ballots are sent to those who have requested them. Members of the United States Armed Forces are afforded 45 days of lead time prior to the election in order to ensure their much deserved participation. If the ballot is now changed there will not be enough time to mail absentee ballots to members of the military as required by federal law and the order of the Federal District court.

10. Additionally, the software programming of all the memory cards for each of the 913 voting systems used in Suffolk County (ballot scanners and BMDs) has been completed. As noted earlier, each ballot scanner and BMD operates from memory cards that inform the machine of the information for each particular contest. The ballot for each election is produced by election management software which is programmed onto the memory cards for each scanner and BMD. Upon completion of this process, there can be no change to the program without restarting the process of reprogramming each memory card.

11. Once the memory cards are programmed and inserted into the machines, the Board then commences the comprehensive testing of the scanners and BMDs. A comprehensive test deck is run for each unique ballot layout which in Suffolk comprises 20 ballots. In addition, a smaller test deck is run through every ballot scanner (total of 4,624 ballots). This process usually begins three weeks prior to the election as it generally takes approximately two weeks to complete this part of the process. This type

Anita S. Katz

Anita S. Katz, Democratic Commissioner
Suffolk County Board of Elections

Nick LaLota

Nick LaLota, Republican Commissioner
Suffolk County Board of Elections

Sworn to before me this
21 day of June, 2016

Sworn to before me this
21 day of June, 2016

Elizabeth Manzella

Notary Public

Elizabeth Manzella

Notary Public



Elizabeth Manzella
Notary Public
State of New York
County of Suffolk
Reg# 01MA6148592
Term Expires

7-10-18



Elizabeth Manzella
Notary Public
State of New York
County of Suffolk
Reg# 01MA6149592
Term Expires

7-10-18